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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention DIGITAL PERFORMANCE MONITORING FOR AN OPTICAL COMMUNICATIONS SYSTEM

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☒ The attached application, or
☐ Application No. _____, filed on _____,
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Leo STRAWCZYNSKI

Signature: *Leo Strawczynski*

Citizen of: Canada

Inventor two: Kim B. ROBERTS

Signature: *Kim B. Roberts*

Citizen of: Canada

Inventor three: John MCNICOL

Signature: *John McNicol*

Citizen of: Canada

Inventor four: _____

Signature: _____

Citizen of: _____

☐ Additional inventors are being named on _____ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PATENT/DOCKET NO.
CUSTOMER NO. 020988

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:	§	Attorney Docket No. 9-13528-194US
Leo Strawczynski, et al.	§	
Serial No.: n/a	§	
	§	
Filed: Herewith	§	Group Art Unit: n/a
	§	
Title: DIGITAL PERFORMANCE	§	Examiner: n/a
MONITORING FOR AN OPTICAL	§	
COMMUNICATIONS SYSTEM	§	

Commissioner for Patents
Washington, D.C. 20231

POWER OF ATTORNEY FOR
PATENT APPLICATION

Nortel Networks Limited, a Canadian corporation having principal offices at:

Nortel Networks Limited
2351 Boulevard Alfred-Nobel
St. Laurent, Quebec H4S 2A9, Canada

the owner by assignment of the entire right, title and interest to the invention for [DIGITAL PERFORMANCE MONITORING FOR AN OPTICAL COMMUNICATIONS SYSTEM], by [Leo STRAWCZYNSKI, Kim B. ROBERTS, and John McNICOL] and in and to the application for patent and any Letters Patent, whether domestic or foreign, that may issue thereon, by virtue of the assignment (check as applicable):

☒ Recorded Concurrently Herewith
☐ Recorded on _____
☐ Recorded at Reel _____ Frame _____
☐ Copy Attached

hereby appoints the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Ogilvy Renault
1981 McGill College Avenue
Suite 1600
Montreal, Quebec
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(Customer No. 20988)

Rev. and Approved
By PPG July 24, 2002

its attorneys with full power of substitution and revocation, to prosecute all domestic and foreign patent applications, including PCT and EPO filings, relating to said invention and to transact all business connected therewith, including signing of all papers on its behalf and making alterations and amendments.

The undersigned is the representative for the Assignee of the entire right, title, and interest in the patent application identified above, and is authorized to act on behalf of the Assignee.

July 25, 2003

Date

NORTEL NETWORKS LIMITED


Name: Jeff Measures

Intellectual Property Counsel
Title: Senior IP Law Council